

 **13hr_AC-WD_CRule_13-045_pt01**



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2013-14

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Workforce Development...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (October 2014)

Assembly

Record of Committee Proceedings

Committee on Workforce Development

Clearinghouse Rule 13-045

Relating to workforce training grants under the Wisconsin Fast Forward Program.
Submitted by Workforce Development

September 05, 2013 Referred to Committee on Workforce Development

October 02, 2013 **Public Hearing Held**

Present: (10) Representative Loudenbeck; Representatives
Petryk, Bernier, Kuglitsch, Born, Ringhand,
Billings, Kolste, Shankland and Wachs.
Absent: (0) None.
Excused: (5) Representatives Pridemore, Knodl, Severson,
Weatherston and Barnes.

Appearances For

- Scott Jansen - Department of Workforce Development
- Jonathan Barry - Department of Workforce Development
- Beth Swedeen - Wisconsin Board for People with
Developmental Disabilities
- Dennis Schuh - Department of Workforce Development

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

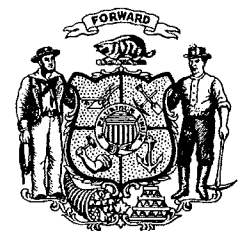
- Carol Karls - Wisconsin Economic Development
Association

November 04, 2013 **no action taken**

Lonna Morouney
Committee Clerk



WISCONSIN STATE LEGISLATURE



Department of Workforce Development
Secretary's Office
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-3131
Fax: (608) 266-1784
Email: sec@dwd.wisconsin.gov



Scott Walker, Governor
Reginald J. Newson, Secretary

August 26, 2013

To: Persons interested in CR 13-045
DWD 801, Wisconsin Fast Forward
Workforce Training Grants

Re: Informational copy of proposed rule in final draft form
as submitted for legislative review, with reports

This letter has been sent to you because you attended the hearing or submitted comments on the proposed rule identified above, or you have in some other way indicated an interest in this proposed rule.

Enclosed for your information are copies of the documents delivered to the Senate and Assembly Chief Clerks earlier today.

Sincerely,



Howard Bernstein
Legal Counsel, Wisconsin Department of Workforce Development
P. O. Box 7946
Madison WI 53707

(608) 266-9427
Howard.Bernstein@dwd.wisconsin.gov

Enclosure

Department of Workforce Development
Secretary's Office
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-3131
Fax: (608) 266-1784
Email: sec@dwd.wisconsin.gov



Scott Walker, Governor
Reginald J. Newson, Secretary

Notification of Rule Referral

August 26, 2013

Proposed Rule in Final Draft Form

Proposed Rules Relating to
Wisconsin Fast Forward Workforce Training Grants

DWD 801
CR 13-045

In accordance with s. 227.19, Stats., the Department of Workforce Development has referred:

Clearinghouse Rule Number: 13-045

Rule Number: DWD 801

Relating to: creating rules for the Wisconsin Fast Forward program of workforce training grants authorized by sec. 106.27, Wis. Stats.

to the Senate and Assembly Chief Clerks for referral to the appropriate standing committees for legislative review.

Howard Bernstein
Legal Counsel, Wisconsin Department of Workforce Development
P. O. Box 7946
Madison WI 53707

(608) 266-9427
Howard.Bernstein@dwd.wisconsin.gov

**State of Wisconsin
Department of Workforce Development
Division of Employment and Training**

Wisconsin Fast Forward Grants

DWD 801

Proposed Rule in Final Draft Form

The Wisconsin Department of Workforce Development proposes to create DWD 801, relating to workforce training grants under the Wisconsin Fast Forward program.

Analysis Prepared by the Department of Workforce Development

Statutory authority: Sections 103.005(1) and 106.27(2g), Wis. Stats.

Statute interpreted: Section 106.27, Wis. Stats.

Related statutes or rules: the federal Workforce Investment Act of 1998 (WIA), Public Law 105-220, 112 Stat. 936, 29 U.S. Code §2801 et seq.

Explanation of agency authority and the basis and purpose of the rule.

2013 Wisconsin Act 9 creates a program in the Department of Workforce Development (DWD) for the development and implementation of workforce training grants to be used for the training of unemployed and underemployed workers in this state or for the training of incumbent employees of businesses in this state.

Act 9 mandates that grantees report to DWD regarding how grant money was used and the outcomes achieved, and requires DWD to promulgate rules prescribing the information to be contained in these reports. It also requires DWD to create grant application forms, procedures, and criteria, and permits DWD to audit and inspect the records of grantees.

Summary of the proposed rule.

This rule establishes the general criteria, procedures, requirements and conditions for the award of Wisconsin Fast Forward workforce training grants. It allows for grant applications from any public or private organization, including an employer or an economic development agency or training provider that is working with an employer, or a consortium of such entities.

The rule provides for the solicitation of applications for grants in the form of Grant Program Announcements (GPAs). Each grant applicant will be asked to provide information about itself and a description of its proposed training program, including the proposed program budget and the proposed matching funds to be provided by the applicant.

The proposed rule provides that grant applications shall receive a preliminary review to ensure that they meet the basic requirements of the GPA. Applications which satisfy this review shall then be evaluated and ranked in relation to a series of factors relating to the capability of the applicant, the specifics of the proposal, and the potential economic and workforce capacity impacts of the proposal. The Department may also consider factors such as underserved populations and geographic areas.

The rule establishes an overall procedure for awarding grants and guidelines for grant administration, the use of grant funds and the provision of matching funds by grantees. Each grantee will be required to report on the use and effect of the grant funds in terms of information on the number of trainees, the trainees that have completed the program, and whether trainees have obtained new employment with increased wages or increased hours of work.

Grant program announcements and related forms will be available at the website of the DWD Office of Skills Development: <http://dwd.wisconsin.gov/osd/>

Summary of analytical methodology.

The rules of other public grant programs were reviewed as part of the process for developing this proposed rule. No other data or analysis was needed.

Comparison to federal law.

The federal Workforce Investment Act of 1998 provides funding for employment and training programs. DWD, with the approval of the Council on Workforce Investment, provides grant allocations to 11 regional workforce development boards, which fund and supervise local programs. Programs for employment placement/retention, job training, and education-related training programs are delivered through Wisconsin Job Centers.

Comparison with statutes and rules in adjacent states

Minnesota. The Minnesota Job Skills Partnership Program is a state grant program which links state businesses with colleges, technical colleges, and universities to provide skill development training to workers. Approximately 70% of the grants have provided skills training involving state manufacturers; the next most numerous category is health care industries. It is a financial match program in which employers provide approximately 2 dollars for every public dollar provided. Partnership grants are awarded in amounts up to \$400,000. About 80% of the grants are awarded to Colleges and Technical Colleges within the Minnesota State Community and Technical College system. Minnesota uses state general purpose revenue to fund this program.

Illinois. The Illinois Department of Commerce and Economic Opportunity, Office of Business Development, offers a grant program entitled Employer Training Investment Program. Grants may be awarded to individual businesses or to intermediary organizations operating multi-company training programs. The grants are intended to enable companies to remain competitive, expand into new markets or introduce more efficient technology. ETIP grants may reimburse Illinois companies for up to 50 percent of the eligible cost of training their employees. In fiscal year 2010 this program gave out 15 grants totaling \$6.4 million ranging from \$60,000 to \$1.1 million.

Iowa. The Skilled Iowa Initiative offers assessments, certification programs and internships in cooperation with public schools, community colleges, and universities, to work with employers seeking to expand the number of available "middle-skill" workers.

Michigan. The Michigan Industry Cluster Approach strategy focuses on five industry clusters (agriculture, energy, healthcare, information technology, and manufacturing) and works with employers to identify industry demand and vacancies, and provide input into the design of educational program offerings and skills requirements. The state's policy is to align services and programs with the identified needs for workers and skills. Programs are listed on Michigan's "WIA Eligible Training Provider List" based on input from employers.

Effect on small business. The proposed rule has no effect on a small business that does not apply for a workforce training grant. Any business that chooses to apply for a grant, with or without partners, will have to comply with the administration and reporting requirements of the rule and the grant agreement.

Analysis used to determine effect on small business. The analysis is based upon the text of 2013 Wisconsin Act 9 and the proposed rule.

Additional documents. The following items are included as attachments:

- The fiscal estimate and economic impact analysis.
- The Rules Clearinghouse Report of the Legislative Council. The recommendations of the report have been accepted in whole.
- A list of the persons who appeared or registered for or against the proposed rule, or for information, at the public hearing.
- A summary of the public comments on the proposed rule and DWD's responses.

Agency contact for program issues:

Dennis C. Schuh, Program Manager
DWD Office of Skills Development
P.O. Box 7946
Madison WI 53707

(608) 267-3803

Dennisc.Schuh@dwd.wisconsin.gov

Agency contact for rulemaking issues:

Howard Bernstein, DWD Legal Counsel
P.O. Box 7946
Madison WI 53707

(608) 266-9427
Howard.Bernstein@dwd.wisconsin.gov

SECTION 1. Chapter DWD 801 is created to read:

Chapter DWD 801

Wisconsin Fast Forward Workforce Training Grants

- DWD 801.01 Authority and purpose.**
- DWD 801.02 Applicability.**
- DWD 801.03 Definitions.**
- DWD 801.04 Project eligibility.**
- DWD 801.05 Application.**
- DWD 801.06 Grant awards.**
- DWD 801.07 Restrictions.**
- DWD 801.08 Match requirement.**
- DWD 801.09 Use of grant funds.**
- DWD 801.10 Amount of grants.**
- DWD 801.11 Reporting requirements.**

DWD 801.01 Authority and purpose. This chapter is created to establish the rules that shall govern the administration and granting of funds for the training of unemployed and underemployed workers and incumbent employees in this state, as authorized under s. 106.27, Stats.

DWD 801.02 Applicability. This chapter applies to the department, to applicants for grants awarded by the department, and to public and private

organizations that are awarded grants by the department, all in connection with workforce training grants applied for and awarded under s. 106.27, Stats.

DWD 801.03 Definitions. In this chapter:

(1) "Administrative costs" means costs associated with implementing grant objectives and activities, such as the provision of office space, telephone service and employees.

(2) "Applicant" means a public or private organization that applies for a grant from the department for the development or implementation of a workforce training program.

(3) "Capital equipment" means equipment having a value greater than \$5000 and a useful life of more than one year.

(4) "Department" means the department of workforce development.

(5) "Evaluation committee" means a committee of department members, and other persons invited by the department, that reviews and evaluates applications.

(7) "Governmental body" means a state or local agency, department, committee, council or public body created by constitution, statute, ordinance or rule.

(8) "Grant" means an agreement between the department and the grantee whereby the department provides funds from the appropriation under s. 20.445(1)(b), Stats., for the purposes specified in s. 106.27(2g), Stats.

(9) "Grantee" means a public or private organization or agency receiving a grant either directly or indirectly from the department.

(10) "Grant Program Announcement" or "GPA" means a document that describes a grant program, invites applications for the grant, specifies who may apply,

and establishes application procedures, criteria for awarding grants, and conditions and restrictions that accompany grants.

(12) "In-kind contributions" means the value of noncash contributions provided by the grantee or third parties which directly benefit and are specifically identifiable to the program.

(13) "Incumbent employee" means an employee or worker who is currently employed by a qualified employer.

(14) "Instructional materials, software and equipment" means instructional materials, software and equipment to be directly used or consumed by the trainees during instructional activities.

(15) "O*Net" means a United States government system of classifying occupations. O*Net occupation codes are unique numbers assigned to each occupation. O*Net is used for career exploration, job analysis, and statistical analysis.

Note: More information about O*Net can be found at the U.S. Department of Labor websites <http://www.onetonline.org/> and <http://www.onetcenter.org/> .

(17) "Private organization" means a private for-profit or non-profit business or service provider.

(18) "Public agency" means any governmental body, including but not limited to a county, city, village, town, school district, technical college district or district board, and an agency of the state government or a formally constituted subunit of any of these entities.

(20) "Supplant" means the substitution of existing training funds with grant funds simply because training funds are awarded under this program.

(21) "Underemployed worker" means an employee or worker who is currently employed but not in a capacity that reflects the skills and experience of the employee or worker and is reflected in less than desirable terms of compensation, hours or responsibility.

(22) "Unemployed worker" means an individual who is currently out of work and is available for work, excluding an individual who is not working but anticipates being called back to his or her regular employment.

DWD 801.04 Project eligibility. (1) ELIGIBLE APPLICANTS. Any private organization or public agency that is current on all federal and state tax obligations and is financially viable is eligible to apply for funds and provide program services.

(2) ELIGIBLE PROJECTS. An eligible program or project is one which demonstrates plans and progress in increasing new jobs, reducing layoffs, and increasing overall employment in the state by increasing workers' skills to better match employers' needs.

DWD 801.05 Application. (1) WHO MAY APPLY. An applicant may be any of the following:

- (a) A public agency.
- (b) A private organization.
- (c) A coalition or partnership of entities under the auspices of a public agency or a private organization.
- (d) The tribal governing body of a federally recognized tribe or band of Indians, or an organization appointed by the tribal governing body.

Note: Interested organizations are encouraged to consult and partner with local or regional economic development organizations and an appropriate training provider. Information on economic development organizations and

training providers can be obtained from the Department's Office of Skills Development at <http://dwd.wisconsin.gov/osd/> .

(2) SOLICITATION. The department shall solicit applications for initial grants by preparing one or more GPAs, publishing a notice of the availability of each GPA on the department's website, and distributing copies of the GPA on request.

(3) APPLICATIONS. (a) An application for a grant shall be made on forms included in the GPA.

(b) The GPA shall specify a date by which the applicant must apply.

(c) The application shall be submitted to the department in accordance with the deadline and processes indicated in the GPA, which may include instructions for applications on paper or in an electronic format.

(d) The department shall issue grant guidelines and may update the guidelines as necessary. The guidelines may contain application instructions, requirements and procedures, application deadline date, allowable uses of funds, and award limits.

(4) CONTENT OF APPLICATION. An application for a grant shall include all of the following:

(a) An application summary sheet.

(b) Identification and contact information for the project point of contact, the financial officer for the project and the signatories authorized by the proposed grantee to execute legal documents.

(c) The application checklist included in the GPA.

(d) A description of the critical work force shortage that exists in the project target area.

(e) An abstract that briefly describes the project and highlights the project's purpose.

(f) A summary of the budget request, including the amount and source of matching funds to be used in the project in accordance with requirements established by the GPA.

(g) A justification of the proposed budget detailing cost estimates used in compiling the budget request.

(h) A narrative description of the program.

(i) A statement of assurance in accordance with s. DWD 801.12.

(j) Written documentation of any agreement with any partner agency or organization.

(k) Documentation verifying compliance with the state and federal laws relating to lobbying.

(L) Information on the proposed use of one or more subcontractors in accordance with standards established by the GPA.

(m) Any other information required in the GPA.

(5) REVIEW OF APPLICATIONS. (a) *Preliminary review.* All grant applications shall include all of the application contents specified in sub. (4). The department or evaluation committee shall review each application for compliance with the format and content specifications of sub. (4) and the GPA. The department may deny any application that fails to meet all of the criteria.

(b) *Evaluation criteria.* The department or evaluation committee shall evaluate grant applications that meet the criteria as specified in par. (a) against criteria specified in sub. (4) and the GPA. The criteria shall include all of the following:

1. The applicant's organizational and programmatic capacity to implement the proposed project.

2. The applicant's understanding and ability to communicate the needs of the target population.

3. The applicant's stated purpose and objectives for the program and methods and timetable for implementing the program.

4. The extent to which the applicant's proposed budget is clear and justified.

5. An evaluation plan for the project.

6. The potential impact on economic development.

7. The potential impact on economic opportunities for the business, the trainees and the local workforce.

8. The potential impact of the project on building the capacity of the workforce to find and retain employment.

(6) RANKING APPLICATIONS. (a) The department or evaluation committee shall weight the importance of each evaluation criterion by assigning points to it. The criteria weighting shall be provided in the GPA.

(b) Using the evaluation criteria specified in subs. (4) and (5), the department or evaluation committee shall evaluate each application against each applicable criterion and assign points signifying the degree to which the application meets the criterion up to the maximum number of points specified in the GPA. The total points assigned to the application for all applicable criteria will be the score for the application.

(c) The department shall numerically rank each application for each GPA.

(d) In addition to the staff rankings and evaluation committee recommendations, considerations may include underserved populations, strategic priorities, past performance, underserved geographic areas, potential to replicate the program and available funding.

DWD 801.06 Grant awards. (1) MAKING AWARDS. Except as provided in sub. (2), for each GPA, the department shall award a grant to the applicant with the highest numerical score under s. DWD 801.05(6).

(2) **EXCEPTIONS.** In reviewing a grant application, the department:

(a) May reject any application which fails to meet the content specifications under s. DWD 801.05(4). Rejection of an application for failure to meet the content specifications under s. DWD 801.05(4) is not subject to appeal.

(b) May negotiate the amount of an award, authorized budget items and programmatic goals and objectives before awarding a grant to an applicant.

(c) May consider additional factors, including underserved populations, strategic priorities, past performance, underserved geographic areas, potential to replicate the program and available funding.

(3) **NOTIFICATION.** The department shall notify each applicant, in writing, within 60 days of the deadline stated in the GPA for submitting a grant application, of the department's decision on the application.

(4) **APPEAL.** Except as provided in s. DWD 801.05(5) (a) and sub. (2)(a), an applicant for a grant may appeal to the department an adverse decision of the department. The appeal shall be in writing and shall fully identify all contested issues. The appeal shall be filed with the department within 10 working days of the date on which the notice of awards is postmarked.

(5) **CONTRACT.** (a) The department shall make each grant award through a contract between the department and the applicant selected to receive the grant.

(b) The contract shall provide for the retainage of a percentage of the grant funds, in accordance with a standard established by the GPA, to be paid upon compliance with the conditions of the grant.

(6) AVAILABILITY OF FUNDS. (a) The department shall decide the amount of funds available for grants from the expected appropriation under s. 20.445(1) (b), Stats., and shall announce the availability of funds in one or more GPAs.

(b) All funding decisions shall be contingent upon availability of funds under s. 20.445(1) (b), Stats. Any changes in the amount of funds available which were unforeseen at the time of the department's release of a GPA shall be accommodated by the department, as appropriate, by means of reduction, elimination or increase in existing awards, by awarding of funds to applicants previously denied due to insufficient funds, or by release of a new GPA.

(c) Any funds that become available due to a denial of an award to a selected grantee as a result of failure of the selected grantee to sign the required agreement, or as a result of termination of a project by the department or the grantee, shall be reallocated by the department at its discretion but within the limits of the intent of the appropriation and this chapter.

DWD 801.07 Restrictions. (1) PROHIBITED USE OF FUNDS. Grant funds shall be used only for the payment or reimbursement of expenses which are reasonable, necessary and properly assignable to the purposes of an approved grant. Any other use of grant funds is prohibited.

(2) VIOLATION OF PROHIBITED ACTIVITIES. If a grantee uses grant funds for prohibited activities under sub. (1), the department may terminate the grant and recover

funds previously paid to the grantee for that funding period on a recoupment schedule specified in the grant contract.

(3) GRANT ADMINISTRATION. (a) A grantee may not use grant funds to supplant existing employee wages and compensation. Grant funds may be used to train a person who will work for less than 40 hours per week.

(b) A grantee may not use grant funds to purchase capital equipment without the prior written approval of the department.

(c) A grantee shall cooperate with any audit of grant expenses.

(d) A grantee shall maintain grant records for at least 3 years and shall provide information to the department as required by the department for the purposes of program or fiscal audits and, at the request of the department, shall appear before the department to respond to any questions about the project and the use of grant funds.

DWD 801.08 Match requirement. Match expenditures shall comply with the following criteria:

(1) A match expenditure shall be from locally-generated revenues or federal revenues specifically authorized by federal law to be used as match to state funds.

(2) A match expenditure under this chapter may not be used as match to any other state or federal funds.

(3) A match expenditure shall be made during the required matching period identified in the GPA.

(4) Expenditures for instructional materials may not exceed 20% of the total match expenditure for each application, unless the educational materials are associated with a nationally portable, industry recognized skills credential.

(5) Trainee wages, stipends and fringe benefits may be considered as match expenditures.

(6) In-kind contributions may be considered as match expenditures.

(7) The GPA or the grant may identify additional match conditions based on the specific nature of the proposal or agreement.

DWD 801.09 Use of grant funds. (1) ALLOWABLE USES. A grantee may use grant funds received under this chapter in any of the following ways:

(a) Developing or implementing curriculum of workforce training programs designed to do any of the following:

1. Increase the skills of unemployed workers to meet the needs of one or more employers.

2. Increase the skills of underemployed workers to a level which would qualify the workers for employment at the current employer or a new employer with higher wages, more hours or increased functionality.

3. Increase the skills of incumbent employees to a level which would qualify the employees for employment at the current employer with higher wages, more hours or increased functionality.

(b) Developing or implementing a special project that generates creative problem solving skills, creates a competitive work culture and environment, inspires underachieving workers, increases the productivity of an organization, or facilitates and encourages the development of individual employees.

(c) Renting capital equipment as specified and approved in the grant agreement.

(2) NONALLOWABLE USES. A grantee may not use grant funds received under this chapter in any of the following ways:

- (a) Purchase of real estate.
- (b) Construction or major remodeling.
- (c) Kindergarten to 12th grade education.
- (d) Support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.
- (e) Sectarian purposes or activities.
- (f) Trainee wages, stipends or fringe benefits.

(3) LIMIT ON ADMINISTRATIVE COSTS. The department may limit the amount of grant funding that a grantee may spend on administrative costs to a percentage no higher than 5% of the total project budget.

(4) OWNERSHIP. The instructional materials developed for a grant funded project with grant funds are owned by the department. The grantee shall have the right to make future use of the materials, subject to any conditions established by the grant.

DWD 801.10 Amount of grants. The amount of a grant shall be based on the following:

- (1) The amount requested by the applicant and approved by the department.
- (2) The amount of match identified by the applicant and approved by the department.
- (3) No grant may be awarded for an amount of less than \$5000.
- (4) No grantee may receive more than \$400,000 in any combination of grants during a calendar year.

DWD 801.11 Reporting requirements. (1) A grantee receiving a grant under this chapter shall submit to the department data and information on the use and effect of the grant funds as specified in this section and in the grant guidelines. The grantee

shall authorize the department to audit and inspect its records and to use business data for administrative purposes.

(2) The grantee shall submit quarterly Bureau of Labor Statistics multiple worksite survey forms.

(3) The grantee shall report:

(a) The O*Net occupation code for each trainee.

(b) The actual employer worksite location of each trainee after the completion of the training.

(c) The number of trainees initially enrolled in the program, identified by social security number and status at the time of enrollment as an unemployed worker, an underemployed employee, student or an incumbent employee.

(d) For each enrollee who is employed at the time of enrollment, whether the enrollee is an employee of one of the grant partners and the hourly wage of the enrollee.

(e) For each enrollee who is unemployed at the time of enrollment, whether the enrollee has obtained employment during the training, or within a specified time period after the completion of the training, whether the employment obtained is with one of the grant partners, and the hourly wages of the newly employed worker.

(f) The number of trainees, identified by social security number, that successfully complete the training, and the status of the trainees at the completion of the program as unemployed, underemployed, student or incumbent employee.

(g) For each enrollee who was underemployed at the time of enrollment, whether the enrollee has obtained new employment, whether any new employment is with a

grant partner, and whether the new employment has provided an increased wage or increased hours of work.

(h) Such other information as may be required by the department.

DWD 801.12 Assurances and certifications. Each grantee shall assure and certify that the grantee and its contractors are in compliance with the terms of this section.

(1) **AUTHORITY TO SIGN AND ACCEPT FUNDS.** The grantee shall certify that the designated signatory official has the authority to sign on behalf of the grantee and has the authority to accept funds.

(2) **COMPLIANCE STATEMENT.** The grantee shall provide a statement that it is in compliance with applicable state and federal laws, rules and regulations, including tax laws, the unemployment insurance and worker's compensation laws, the requirements of this chapter, and the GPA.

(3) **NONDISCRIMINATION AND EQUAL OPPORTUNITY.** In accordance with s. 16.765, Stats., the grantee may not discriminate in violation of state or federal law and shall follow equal employment opportunity practices in the administration and delivery of program services and benefits to eligible applicants and participants.

(4) **ADEQUATE AND DOCUMENTED SYSTEMS.** The grantee shall have adequate and documented administrative, personnel, financial and program management systems, including the policies, procedures and controls necessary to ensure effective and efficient use of funds for the delivery of programs under this chapter.

DWD 801.13 Grant Administration. (1) GRANT RECORDS. The grantee shall maintain grant records, provide access to the records when requested by the department, and cooperate with monitoring and auditing activities of the department.

(2) RETENTION. The grantee shall retain grant records for at least three years after the conclusion of the grant.

(3) INVOICES. The grantee shall submit invoices for reimbursement in accordance with procedures established by the department.

SECTION 2. EFFECTIVE DATE. This rule shall take effect the first day of the month following publication in the Administrative Register as provided in s. 227.22 (2) (intro), Stats.

FISCAL ESTIMATE
DOA-2048 N(R03/97)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
DWD 801

Amendment No. if Applicable

Subject
Wisconsin Fast Forward Workforce Training Grants

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation
or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb
Within Agency's Budget Yes No

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

The proposed rule does not create any costs in the administration of the Wisconsin Fast Forward workforce training grants program that are independent of the fiscal effect of 2013 Wisconsin Act 9 (2013 Assembly Bill 14), which created the program.

A copy of the fiscal estimate for AB 14/Act 9 is attached.

Impact on businesses:

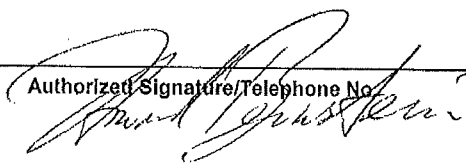
A business is not required to comply with the proposed rule unless it applies for a workforce training grant. A business that applies for and receives a workforce training grant will be required to file reports to verify that it has incurred expenses that are allowable and reimbursable under the grant, and it will also be required to file reports documenting the results of the grant in terms of employee participation and improvement in qualifications.

Long-Range Fiscal Implications

None

Agency/Prepared by: (Name & Phone No.)
DWD/Howard Bernstein (608) 266-9427

Authorized Signature/Telephone No.



Date 8/26/13

**ADMINISTRATIVE RULES
FISCAL ESTIMATE AND
ECONOMIC IMPACT ANALYSIS**

Type of Estimate and Analysis

Original Updated Corrected

Administrative Rule Chapter, Title and Number

DWD 801

Subject

Workforce Training Grants under s.106.27(2g), Stats.

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Chapter 20, Stats. Appropriations Affected

Fiscal Effect of Implementing the Rule

No Fiscal Effect
 Indeterminate

Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs
 Could Absorb Within Agency's Budget
 Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

State's Economy

Local Government Units

Specific Businesses/Sectors

Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

Policy Problem Addressed by the Rule

The proposed rule implements the requirement in s. 106.27(2g), Stats., that DWD promulgate rules prescribing procedures and criteria for awarding grants and the information that must be contained in the reports that are required from the grantees.

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The proposed rule does not create any costs in the administration of the workforce training grants program that are independent of the fiscal effect of 2013 Wisconsin Act 9 (2013 Assembly Bill 14), which created the program. A copy of the fiscal estimate for AB 14/Act 9 is attached.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The rule simply carries out the instructions of the statute.

Long Range Implications of Implementing the Rule

None distinct from the statute.

Compare With Approaches Being Used by Federal Government

The rule analysis contains a comparison to the federal Workforce Investment Act.

Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

These comparisons are also in the rule analysis.

Name and Phone Number of Contact Person

Howard Bernstein, Legal Counsel, DWD (608) 266-9427



**WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE**

*Scott Gross and Jessica Karls-Rupflinger
Clearinghouse Co-Directors*

*Terry C. Anderson
Legislative Council Director*

*Laura D. Rose
Legislative Council Deputy Director*

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 13-045

AN ORDER to create ch. DWD 801, relating to workforce training grants under the Wisconsin Fast Forward Program.

Submitted by **DEPARTMENT OF WORKFORCE DEVELOPMENT**

06-14-2013 RECEIVED BY LEGISLATIVE COUNCIL.

07-02-2013 REPORT SENT TO AGENCY.

SG:MSK

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]
Comment Attached YES NO
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Scott Grosz and Jessica Karis-Ruplinger
Clearinghouse Co-Directors

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 13-045

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated November 2011.]

2. Form, Style and Placement in Administrative Code

a. The rule summary should include the place where comments are to be submitted and the deadline for submission of comments. [s. 1.02 (2) (a) 13., Manual.]

b. In s. DWD 801.03, why does the proposed rule create separate, but similar, definitions under subs. (7), (18), and (19) for “governmental body”, “public agency”, and “public organization”? The agency might consider defining only “public organization” and using that term throughout the text of the proposed rule.

c. In s. DWD 801.03, the following terms are not used in the proposed rule and should be deleted from the definitions:

- (1) Subsection 6, “Funding year”.
- (2) Subsection 11, “Grantor”.
- (3) Subsection 12, “In-kind contributions”.
- (4) Subsection 16, “Participation”.

d. In s. DWD 801.03 (18), the following language should be deleted as it unnecessarily repeats what is contained in s. 46.856 (1) (b), Stats.: “, which is a county, city, village, town or school district, an agency of the state government or an agency of a county, city, village, town or school district”. [s. 1.01 (7) (d), Manual.]

e. In s. DWD 801.04 (1), the agency might consider replacing "public, private, non-profit or private for-profit agency or organization" with "public or private organization" in order to use the definitions in s. DWD 801.03 (17) and (19).

f. In s. DWD 801.05 (1) and (2), the numbering of par. "(a)" in each subsection should be removed. [s. 1.03 (1), Manual.] The subdivisions under sub. (1) (a) should be renumbered as paragraphs.

g. In s. DWD 801.05 (1) (a) 2. and 3., it appears that "private" should replace "legally-formed" in order to be consistent with the definition of "private organization" in s. DWD 801.03 (17). A "legally-formed organization" is not defined in the proposed rule.

h. In s. DWD 801.05 (4) (e), the agency might consider adding ", including the amount and source of any matching funds to be used in the project". The proposed rule does not include a requirement for information about matching funds in the application process, although the summary of the proposed rule in the analysis states that the applicant is to provide information about proposed matching funds. The applicant's summary of the budget may be an appropriate place to require information about proposed matching funds.

i. In addition to an applicant's assurance of compliance required under s. DWD 801.05 (4) (h), the agency might consider adding a section on assurances and certifications in a manner similar to those requirements under s. DWD 820.11 or 830.06, in the areas that are appropriate to this program. For example, subsections in ss. DWD 820.11 and 830.06 address the signatory's authority and the grantee's "adequate and documented systems", which are not addressed in the proposed rule.

j. The agency might consider moving the ranking procedure listed in s. DWD 801.05 (6) (d) to sub. (5), as par. (d) describes an evaluation criterion, and is more logically consistent with the criteria in sub. (5) than with the ranking procedures given in sub. (6). Also, in par. (d):

- (1) What are "staff ratings"? Does "staff ratings" refer to the department's ranking procedure? The agency should clarify this.
- (2) The phrase ", but are not limited to," should be deleted. [s. 1.01 (7) (d), Manual.]

k. Section DWD 801.06 should be restructured as follows:

- (1) After the title for sub. (1):
 - (a) Insert "Except as provided in sub. (2),".
 - (b) The initial capital letter should be removed from "For".
 - (c) A period should replace ", except that:".
- (2) Subsection (1) (a) should be numbered as sub. (2) and should read: "(2) EXCEPTIONS. In reviewing a grant application, the department:", and the beginning of each paragraph should be revised as follows:
 - (a) "May reject"

- (b) "May negotiate"
- (c) "May consider additional factors, including underserved populations...."
Also, in this paragraph, delete ", shall be justification for deviating from (1) above".
- (3) Subsections (2) to (5) should be numbered subs. (3) to (6).
- (4) In sub. (3), the reference to "sub. (1) (a)" should be revised to "sub. (2) (a)", if the section is revised in accordance with this comment.
- l. The contents of s. DWD 801.07 (1) and (3) (b) might be more appropriately placed in s. DWD 801.09, which relates to the use of grant funds.
- m. In addition to the grant administration provisions in s. DWD 801.07 (3), the agency could consider detailing access and retention requirements, in a manner similar to those details in s. DWD 830.08.

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. In the second paragraph of the section of the analysis that provides the summary of the proposed rule, it appears that either "the" or "its" should be deleted in the phrase "description of the its proposed training program".
- b. In the table of contents for ch. DWD 801, a period should be inserted at the end of each section title for ss. DWD 801.07 to 801.11.
- c. Section DWD 801.01 could be more direct in its style, in a manner similar to s. DWD 820.01. For example, the authority and purpose could be phrased as follows: "This chapter is created to establish the rules that shall govern the administration and granting of funds for the training of unemployed and underemployed workers and incumbent employees in this state, as authorized under s. 106.27, Stats."
- d. In s. DWD 801.03 (2), on the second line; "or implementation" should be inserted after "development", and ", for the implementation of a workforce training program or for the development and implementation of a workforce training program" should be deleted.
- e. In s. DWD 801.03 (16), it appears that "training program" should replace the first instance of "grant".
- f. In the Note after s. DWD 801.05 (1) (a) 4., "organizations" should replace "businesses", and "Department's" should replace "DWD".
- g. In ss. DWD 801.05 (5) and (6) and 801.06 (1), "evaluation committee" should replace each instance of "its designated evaluation committee". The longer phrase is unnecessary, as an "evaluation committee" is defined in the proposed rule and allows the proposed rule to be more readable and to be phrased with more specificity. Also, to be more specific with the structure of the review process, the agency might consider providing a proposal review process similar to that given in s. DWD 830.04.

- h. In s. DWD 801.05 (5) (a), the following revisions should be made:
- (1) The phrase "and, if applicable, the GPA" should be deleted, as any application information required by the GPA is already part of the application contents specified under sub. (4) (k).
 - (2) "The department shall deny any application that fails to meet all of the criteria" should replace the last two sentences of the paragraph. This reason for denial of an application is also specified in s. DWD 801.06 (1) (a), and is logically more consistent with that section. The agency might consider removing this denial language from s. DWD 801.05 (5) (a), as well as the reference to this section in s. DWD 801.06 (3).
- i. In s. DWD 801.06 (2), "submitting" should be inserted after "GPA for".
- j. In s. DWD 801.07 (3) (a), it appears that "wages and compensation" should replace "salaries", in order to be more specific.
- k. In s. DWD 801.07 (3) (b), "funds" should replace "finds".
- l. In s. DWD 801.08, it is unclear who is providing the "match expenditures" and to whom this section applies. Does this section refer to grants made by the department only when matching funds are available, or does it refer to funds obtained by the grantee to match the grant? Also, in this section:
- (1) Should sub. (1) include a reference to any matching funds offered by the grantee itself?
 - (2) Should sub. (4) include "software and equipment" in addition to the "instructional materials", pursuant to the definition in s. DWD 801.03 (14)?
- m. In s. DWD 801.08 (5), under what circumstances are trainee wages, stipends, and fringe benefits considered a match expenditure?
- n. In s. DWD 801.09 (3), "a public or private organization may spend" should replace "may be spent". Also, this subsection should specify whether the 5% limit is 5% of the total amount of the project (including matching funds), or 5% of the total amount of the grant, as those amounts could be different.
- o. In s. DWD 801.09 (4), should "instructional materials, software and equipment" replace "materials", pursuant to the definition in s. DWD 801.03 (14)? Also, "the department" should replace "DWD", and "also" should be deleted after "shall".
- p. In s. DWD 801.11 (1), "audit and inspect its records and to" should be inserted after "shall authorize the department to", in accordance with s. 106.27 (2g) (b), Stats.
- q. In s. DWD 801.11 (2), the acronym "BLS" should be written out. That term is not defined or used elsewhere in the proposed rule. [s. 1.01 (8), Manual.]

r. In s. DWD 801.11 (3) (f), it appears that a comma should be inserted after "underemployed", and that "an" should be deleted before "incumbent".

DWD 801, Wisconsin Fast Forward Workforce Training Grants

Public Hearing held July 15, 2013 – Appearances, Registrations and Comments

Spoke in favor of the proposed rules

David Mitchell
Council on Workforce Investment
President, Monarch LLC

Brian Vigue
Executive Director, Wisconsin Workforce Development Association

Beth Swedeen
Survival Coalition of Wisconsin Disability Organizations
Executive Director, Wisconsin Board for People with Developmental Disabilities

Grailing Jones
Director, Small Business Development, Schneider Finance Inc.

Spoke to provide information

Jorge Franco
Chairman, Hispanic Chamber of Commerce of Wisconsin

William McCoshen
Executive Director, Competitive Wisconsin

Registered in favor of the proposed rules

Rebecca Deschane
Wisconsin Economic Development Corp.

Logan Sivdzinski
Schneider National

Marc Bentley
Schneider National, Martin Transport, Wis. Motor Carriers Assn.

Observed for information only

Michele Mackey
Center on Wisconsin Strategy (COWS)

Todd Costello
Community Living Alliance, Wis. Longterm Care Workforce Alliance

Nancy Merrill
Wisconsin Technical College System

Julie Cayo
Milwaukee Area Workforce Investment Board (MAWIB)

Leslie Spencer-Herrera
Southeast Wis. Workforce Development Area

Erin Fabrizius
Wisconsin Personal Services Association

Cheryl Randall
Milwaukee Area Technical College

Tim Elverman
Milwaukee Area Technical College

Amy Loudenbeck
State Representative, Wisconsin State Assembly

Lonna Morouney
Office of State Rep. Loudenbeck

Filed Comments on the proposed rules

Brian White
GE Power & Water

Chris Lefeber
President, Quest Engineering Inc.

Rick Petzke
People First Wisconsin, Wis. Board for People with Developmental Disabilities

Gary Beier
Wisconsin Automobile & Truck Dealers Association

John Higgins
Ozaukee County Workforce 2020 Coordinator

Paul Gabriel
Wis. Technical College District Boards Association

Sarah White
Center on Wisconsin Strategy (COWS)

Beth Swedeen, Maureen Ryan, Kit Kerschensteiner
Survival Coalition of Wisconsin Disability Organizations

Reed Hall, Kathy Heady
Wisconsin Economic Development Corporation

Ann Sievert, Rick Hall
Wisconsin's Employment First Coalition

Rebecca Hogan
Wisconsin Economic Development Association

Dr. Susan May
President, Fox Valley Technical College

Andy Preissner
A to Z Machine Co.

Kelly Ryan
Workforce Central Funders Collaborative

Morna Foy
Wisconsin Technical College System

Tony Evers, State Superintendent
of Public Instruction

Sharon Wendt
Wisconsin Department of Public Instruction

Nels Lawrence
Kaukauna School District

Robert Borremans
SW Wisconsin Workforce Development Board

Tim Casper
Madison College

Angela Hupf
Memorial Health Center, Medford

John Kissinger
Milwaukee Area Workforce Investment Board

Judy Aspling
Northwest Wisconsin Workforce Investment Board

Mary McPhetridge
Ashland Area Chamber of Commerce

Pat Schramm
Workforce Development Board of South Central Wisconsin

Tom Barrett
Mayor, City of Milwaukee

DWD 801 Wisconsin Fast Forward Workforce Training Grants

Comments Received on the Draft Proposed Rule and DWD Responses

August 2013

<u>Name/Organization</u>	<u>Comment</u>	<u>DWD Response</u>
Wis Survival Coalition	The rule should reserve a defined % of grant funds for training targeted for people with disabilities, require grantees to address the needs of employees with disabilities, and target high demand fields such as the long-term care workforce.	The Department will encourage proposals which emphasize training for people with disabilities, within the overall goal of the statute to address the improvement of critical workforce skills.
Wis Employment First Coalition People First	K to 12 institutions should not be excluded from grant eligibility. K to 12 institutions should not be excluded from grant eligibility.	This provision has not been changed. The statute requires these grants to focus on the training of unemployed and underemployed workers and incumbent employees of businesses in this state.
Andy Preissner, A to Z Machine Co.	K to 12 institutions should not be excluded from grant eligibility.	Youth apprenticeship programs will not be eligible, but unemployed high school graduates with YA experience could qualify for an employer's WFF sponsored training program.
Nels Lawrence Kaukauna School District	K to 12 institutions should not be excluded from grant eligibility.	Youth apprenticeship programs will not be eligible, but unemployed high school graduates with YA experience could qualify for an employer's WFF sponsored training program.
Tony Evers State Superintendent of Public Instruction	Will a youth apprenticeship consortium be eligible to apply for a Wisconsin Fast Forward grant?	Youth apprenticeship programs will not be eligible, but unemployed high school graduates with YA experience could qualify for an employer's WFF sponsored training program.
John Higgins Ozaukee County	Will a youth apprenticeship consortium be eligible to apply for a Wisconsin Fast Forward grant?	Youth apprenticeship programs will not be eligible, but unemployed high school graduates with YA experience could qualify for an employer's WFF sponsored training program.
Brian Vigue Wis. Workforce Development Association	Wis. Fast Forward should, reward applicants that apply as consortiums, which could include private businesses applying with WDBs, technical colleges, economic development or CBOs. WDBs are well positioned to coordinate with other partners in such consortiums.	Agree in general. However, individual grant proposals will be evaluated on their merits.

<p>Angela Hupf, Memorial Health Center Medford</p>	<p>Wis. Fast Forward should reward applicants that apply as a consortium, which should include workforce development boards as required or key partners, working with private business, technical colleges, economic development agencies, or community based organizations.</p>	<p>Agree that workforce development boards will be valued and effective participants in grant application consortiums. However, DWD will review individual grant proposals on their merits and therefore declines to require the inclusion of WDBs in grant proposals.</p>
<p>John Kissinger Milwaukee Area WIB</p>	<p>(similar comment)</p>	
<p>Judy Aspling Northwest Wisconsin WIB</p>	<p>(similar comment)</p>	
<p>Mary McPhetridge Ashland Area Chamber of Commerce</p>	<p>(similar comment)</p>	
<p>Pat Schramm Workforce Development Board Of South Central Wisconsin</p>	<p>(similar comment)</p>	
<p>Tom Barrett Mayor, City of Milwaukee</p>		
<p>Brian White GE Power & Water</p>	<p>(1) "Capital equipment" should be defined as having a useful life of 2 or 3 years. (2) Grant funds should not train people who will work less than 20 hours per week. (3) An audit should be required is a grant is above a certain dollar amount. (4) The percentage of required match should be Specified.</p>	<p>(1) Including equipment with a life of 1 year is in accordance with Generally Accepted Accounting Principles. (2) Agree, this will be covered in the grant applications and contracts. (3) Agree, this will be covered in the grant guidelines and contracts. (4) Agree, this will be covered in the grant program announcements.</p>
<p>Chris Lefeber Quest Engineering Inc.</p>	<p>Consider the unique needs of small businesses and allow for training to be individually tailored to match their needs.</p>	<p>Agree that this is an important aspect of the program and we believe our procedures will be responsive proposals from small businesses.</p>
<p>Gary Beier Wis. Automobile and Truck Dealers Association</p>	<p>This could be a positive step forward for workforce economic development in Wisconsin.</p>	<p>We appreciate the comment.</p>

<p>Reed Hail Wis. Economic Development Corp.</p>	<p>Comments in support of the overall design and approach of the Wisconsin Fast Forward grant statute.</p>	<p>We appreciate these comments.</p>
<p>Kathy Heady Wis. Economic Development Corp.</p>	<p>(1) Suggestion on definition of "incumbent worker" (2) Will grant funds be available for training employees who work less than 40 hours/week? (3) Awards should be capped. (4) Will some types of business be excluded? (5) Avoid funding projects that can be covered by other training programs. (6) Specify that these grants are not for "routine" training that a company already provides.</p>	<p>(1) Definition has been modified. (2) Yes. (3) The rule limits grants to no more than \$400,000 per year per applicant. (4) No, the rule does not exclude any type of business from applying. (5) This will be one of the criteria of the process for approving GPAs. (6) DWD anticipates that this will be achieved by the definition of an eligible project and by the evaluation process.</p>
<p>Kelly Ryan Workforce Central Funders Collaborative</p>	<p>Collaboration among the major stakeholders is the key to lasting impact for training programs. Training investments should be based on the common needs of employers and workers.</p>	<p>DWD expects that proposals based on these concepts will be the most successful in the grant application evaluation process.</p>
<p>Morna Foy Wis. Technical College System</p>	<p>(1) The rule should clarify the types of funds that can be used for match. (2) Can administrative costs covered by partners count towards match? (3) What is meant by "required match period?" (4) What are the distinctions between the evaluation criteria? How will they be measured? (5) Can you clarify the terms of DWD ownership of materials developed with grant funds? (6) If a grantee does not have access to BLS worksite survey forms, can there be an alternative? (7) Will there be alternatives if employers are unwilling to report wages and hours?</p>	<p>(1) Agree, this has been done. (2) Yes. (3) The term of the grant. (4) This will be explained in the GPAs. (5) Pre-existing materials would not be considered to be owned by DWD. (6) The BLS forms will be provided. (7) No, reports are important and will be a condition of every grant.</p>



- (8) Will a trainee be able to qualify in more than one category (unemployed/underemployed/student/incumbent) or move from one category to another?
 - (9) Will an out-of-state business seeking to move to Wisconsin qualify for a grant?
 - (10) Can case management services be an allowable use of grant funds?
 - (11) Can identifiers other than SSNs be used?
- (8) No.
- (9) A grant applicant will be required to have a Wisconsin presence.
- (10) Applicants may submit proposals, which DWD will review under the established evaluation criteria.
- (11) No, evaluation of the results requires the use of SSN data. Confidentiality will be a priority.

Susan May
Fox Valley Technical College

- (1) It would help employers and technical colleges for the Wis. Fast Forward rules to be as consistent as possible with the rules for workforce advancement training grants.
 - (2) Recommend that business and organizations be required to partner with an accredited educational institution.
 - (3) Consider basing grant awards on an inclusive hourly instructional rate rather than the actual costs of salary, fringe, supplies, materials, etc.
 - (4) Allow for grant applications at least several times throughout the year rather than only one annual application period.
- (1) DWD will keep this in mind, but the requirements of the Wis. Fast Forward statute do require some differences.
- (2) This would probably help an applicant in the evaluation process, but DWD does not want to create mandates in the rule that restrict the discretion to submit innovative proposals.
- (3) DWD will not do this. Reimbursement should be based on actual costs.
- (4) Agree.

Tim Casper
Madison College

- (1) Allow limits to be calculated based on the total project cost.
 - (2) Allow an exception to the administrative cost cap for instruction materials related to a nationally portable industry recognized skills credential.
 - (3) Can DWD do the follow-up on trainee employment, hours and wages?
- (1) Agree.
- (2) Agree.
- (3) DWD will do this on a long term basis but we also need to require an end-of-grant report on this data from the employer.

<p>Paul Gabriel Wis. Technical College District Boards Association</p>	<p>Technical college districts should be eligible to apply for grants.</p>	<p>Agree, this has been clarified in the rule text.</p>
<p>Rebecca Hogan Wis. Economic Development Association</p>	<p>(1) Evaluation metrics should focus on the employer as well as the employee. (2) Reporting requirements should not impose a burden on grantees. (3) The provision on DWD ownership of materials developed with grant funds could be a disincen- tive to grant applicants.</p>	<p>(1) DWD will measure economic impact as well as the impact on trainees. (2) DWD will keep this in mind and try to make The reporting requirements a "user-friendly" as possible. (3) DWD does not intend to apply this provision in an unusual or extreme manner.</p>
<p>Sarah White Center on Wisconsin Strategy</p>	<p>(1) Providing a copy of a COWS report on industry partnership projects. (2) Providing COWS documents which include guidelines for successful workforce investment.</p>	<p>These documents have been helpful and instructive in reviewing and preparing the rule text in final draft form.</p>
<p>Robert Borremans Southwest Wis. Workforce Development Board</p>	<p>(1) Employers should play an active role in training design. (2) Talent-driven job matching and recruitment should be emphasized. (3) Work readiness and transitional training should be available. (4) Areas of high unemployment should have priority. (5) Allow for flexibility as to how employers may provide matching funds. (6) Support innovation.</p>	<p>(1 - 6) Agree to all, within the context of DWD's evaluation of applications submitted in accordance with announced criteria.</p>